

UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN – SOUTHERN DIVISION

MARIO PAPIZZO,
Plaintiff

-vs-

Case No.
Hon.

EXPERIAN INFORMATION SOLUTIONS, INCORPORATED ,
EQUIFAX INFORMATION SERVICES, L. L. C.,
TRANS UNION LLC

Defendants

COMPLAINT & JURY DEMAND

Mario Papizzo states the following claims for relief:

Parties

1. Mario Papizzo, resides in Brighton, MI.
2. Mario Papizzo is a consumer as defined by the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 *et seq* (“FCRA”) at §1681a(c).
3. The Defendants to this action are as follows:
 - A. Experian Information Solutions, Incorporated (“**Experian**”) is a credit reporting agency as contemplated by the Fair Credit Reporting Act, 15 U.S.C. 1681 *et seq*.
 - B. Equifax Information Services, L. L. C. (“**Equifax**”) is a credit reporting agency as contemplated by the Fair Credit Reporting Act, 15 U.S.C. 1681 *et seq*.

C. Trans Union, L. L. C. (“**Trans Union**”) is a credit reporting agency as contemplated by the Fair Credit Reporting Act, 15 U.S.C. 1681 *et seq.*

Jurisdiction

4. This lawsuit, being brought pursuant to 15 U.S.C. 1681 *et seq.*, presents a federal question and as such, jurisdiction arises under 28 U.S.C. §1331 and 15 U.S.C. §1681 *et seq.*

General Factual Allegations

5. Mr. Papizzo resides in Brighton.
6. For approximately two years before the filing of this suit, Experian, Equifax and Trans Union have reported inaccurate credit information concerning Mr. Papizzo.
7. In specific, this consumer reporting agency has repeatedly prepared reports concerning Mr. Papizzo that include credit, and identification concerning another individual that is not Mr. Papizzo.
8. Specifically, these consumer reporting agencies have reported credit and identification information concerning Mr. Papizzo’s father on Mr. Papizzo’s consumer report, including
- A. ABM AMRO for a mortgage.
 - B. Chase Auto, for a car loan.
 - C. Chase Bank for a credit card.

- D. Mortgage Services for a mortgage loan.
 - E. DTE Energy for a utility account.
9. Mr. Papizzo has repeatedly disputed these accounts only to have them deleted and reinserted into his consumer file for the respective agencies.
 10. Consequently, each of the respective agencies has published consumer reports containing false information concerning Mr. Papizzo.
 11. In spite of the efforts of both Mr. Papizzon and his father to correct these errors, Experian, Equifax, and Trans Union have repeatedly confused Mr. Papizzo with his father, and prepared reports including data from both individuals in reports about the Mr. Papizzo.
 12. At the same time, Mr. Papizzon believes that Experian, Equifax and Trans Union have included information concerning Mr. Papizzo in the consumer reports of his father, resulting in the improper delivery and disclosure of Mr. Papizzo's consumer reports to persons who do not have a permissible purpose to use that report.

Count I – FCRA, 15 U.S.C. § 1681 et seq. (Experian, Equifax and Trans Union)

13. Mr. Papizzo incorporates the preceding allegations by reference.
14. Experian, Equifax and Trans Union violated the FCRA, 15 U.S.C. § 1681b(a).
15. Experian's, Equifax's and Trans Union's violation of the FCRA were negligent

and caused harm to Mr. Papizzo in violation of 15 U.S.C. §§ 1681b(a) and 1681o; alternatively Experian's, Equifax's and Trans Union's violation of the FCRA were willful in violation of 15 U.S.C. §§ 1681b(a) and 1681n.

16. Experian, Equifax and Trans Union violated the FCRA, 15 U.S.C. § 1681e(b).
17. Experian's, Equifax's and Trans Union's violation of the FCRA were negligent and caused harm to Mr. Papizzo in violation of 15 U.S.C. §§ 1681e(b) and 1681o; alternatively Experian's, Equifax's and Trans Union's violation of the FCRA were willful in violation of 15 U.S.C. §§ 1681e(b) and 1681n.
18. Experian, Equifax and Trans Union have negligently violated the FCRA, 15 U.S.C. §§ 1681i and 1681o; alternatively Experian, Equifax and Trans Union have wilfully violated the FCRA, 15 U.S.C. §§ 1681i and 1681n.
19. Mr. Papizzo has suffered damages as a result of this violation of the FCRA.

Jury Demand

Mr. Papizzo demands trial by jury.

Request For Relief

20. *ACCORDINGLY respectfully Mr. Papizzo requests that the Court Grant any or all of the following relief:*

A. *Actual damages for items including emotional distress, mental anguish, frustration, humiliation, and embarrassment.*

- B. Statutory and punitive damages.*
- C. Costs and attorneys fees.*
- D. Injunctive and equitable relief as available.*

Respectfully Submitted,

By: s/ Ian B. Lyngklip
Ian B. Lyngklip P47173
LYNGKLIP & ASSOCIATES
CONSUMER LAW CENTER, PLC
Attorney for Mario Papizzo
24500 Northwestern Highway, Ste. 206
Southfield, MI 48075
PHONE: (248) 208-8864
Ian@MichiganConsumerLaw.Com

Dated: November 2, 2014